

## CLASSIFICATION OFFICE DECISION

**Title of publication:** MOV01181

**Other known title(s):** Not stated

**OFLC ref:** 2000133.000

**Medium:** Video File

**Producer:** Not stated

**Country of origin:** Aotearoa New Zealand

**Language:** English

**Applicant:** Commissioner of Police

<b>Classification:</b>	Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.
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**Excisions:** No excisions recommended

**Descriptive note:** None

**Display conditions:** None

**Date of entry in Register:** 16 June 2020

**Date of direction to issue a label:** No direction to issue a label has been issued

**Date of notice of decision:** 16 June 2020

	Components	Running time
<b>Timed component(s):</b>	MOV01181	10:14
<b>Total running time:</b>		10:14

### Summary of reasons for decision:

MOV01181 is a 10 minute 14 second video file which primarily focusses on a female subject performing a lap-dance for a man. The Classification Office has considered whether the publication tends to promote and support the sexual exploitation of a young person under s 3(2)(a) of the FVPC Act, and finds that the video does not. Without any contextual information about the subjects, the publication presents as a video of a young woman confidently and casually performing a sexualised dance for a man while her friend watches on; there is little in the video to suggest otherwise. The Classification Office has further considered whether the video promotes or encourages the crime of creating an intimate visual recording under s 3(3)(d), and similarly finds that it does not, as most

viewers would not interpret the video as an intimate visual recording. Nonetheless, the unrestricted availability of the video is likely to be injurious to the public good. It clearly deals with sex to a high level. There is a common social consensus that publications like the video, which feature extensive depictions of sexual activities and situations, are likely to negatively impact on younger viewers' social development, attitudes, and expectations around sexual activity and relationships. As such, a restriction to adults is necessary. Although this classification decision is a limitation on the right to freedom of expression under the New Zealand Bill of Rights Act 1990, this is the least restrictive classification that can be imposed in order to prevent injury to the public good.